

1  
2  
3  
4  
5  
6  
7                   UNITED STATES DISTRICT COURT  
8                   WESTERN DISTRICT OF WASHINGTON  
9                   AT SEATTLE

10                  DAVID BORDEN,

CASE NO. C19-1430JLR

11                  Plaintiff,

ORDER DENYING UNOPPOSED  
MOTION TO AMEND THE  
COMPLAINT BY  
INTERLINEATION

12                  v.

13                  EFINANCIAL, LLC,

14                  Defendant.

15                  Before the court is Plaintiff David Borden's unopposed motion to amend his  
16 complaint "by interlineation." (Mot. (Dkt. # 29); *see also* Prop. Interlineated Am.  
17 Compl. (Dkt. # 29-1).) An interlineated amended complaint does not comply with the  
18 Western District of Washington's local rules. The local rules require a party seeking to  
19 amend a pleading to attach a copy of the proposed amended pleading as an exhibit to its  
20 motion or stipulation seeking amendment and also require that the party "indicate on the  
21 proposed amended pleading how it differs from the pleading that it amends by bracketing  
22 or striking through the text to be deleted and underling or highlighting the text to be

1 added.” *See* Local Rules W.D. Wash. LCR 15. The moving party files the interlinedated  
2 version of the amended pleading as an exhibit to the motion or stipulation to amend and  
3 not as the amended pleading itself. *See id.* Further, the court believes that later reference  
4 or citation to an interlinedated pleading might be confusing or lend uncertainty to the  
5 claims at issue. The court wishes to avoid any such confusion, particularly in the context  
6 of a class action. (*See* Compl. (Dkt. # 1) ¶¶ 21-28 (setting forth the class allegations).)  
7 Accordingly, the court DENIES Mr. Borden’s motion (Dkt. # 29), but without prejudice  
8 to filing a motion to amend his complaint that complies with the Federal Rules of Civil  
9 Procedure and the court’s local rules.

10 Dated this 30th day of January, 2020.

11  
12   
13

14 JAMES L. ROBART  
15 United States District Judge  
16  
17  
18  
19  
20  
21  
22